

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Levar Leary

Docket No. 5:10-CR-291-1H

Petition for Action on Supervised Release

COMES NOW Michael W. Dilda, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Levar Leary, who, upon an earlier plea of guilty to Possession With Intent To Distribute More Than 5 Grams of Cocaine Base (Crack), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge on March 10, 2011, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Levar Leary was released from custody on July 18, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 13, 2015, a traffic stop was conducted of the defendant in Texas. Although no charges were filed against Leary, he did not obtain prior approval for travel outside the judicial district. Subsequent to contact with law enforcement officials, the defendant contacted the probation officer to advise he was currently in Texas, where he had planned to visit with family. Leary further acknowledged he traveled outside of his judicial district without prior approval. As a sanction for his actions, confinement of 3 days in the custody of the Bureau of Prisons is recommended, as directed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

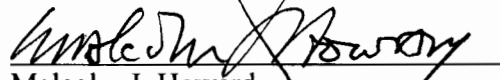
Reviewed and approved,
/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing
is true and correct.
/s/ Michael W. Dilda
Michael W. Dilda
U.S. Probation Officer
201 South Evans Street Room 214
Greenville, NC 27858-1137
Phone: 252-830-2342
Executed On: February 26, 2015

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ORDER OF THE COURT

Considered and ordered this 26th day of February 2015 and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge